

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

McKINSEY & COMPANY, INC,

Plaintiff,

v.

McKINSEY & COMPANY GLOBAL HOLDINGS INC.
and DOES 1-20,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 4/27/12

12 CIV. 02398 (PGG)

ECF CASE

**ORDER TO SHOW CAUSE
FOR DEFAULT JUDGMENT**

WHEREAS this trademark action was commenced by McKinsey & Company, Inc. (“McKinsey & Company”) against defendants including McKinsey & Company Global Holdings Inc. (“MCGH”) on March 30, 2012 by the filing of the Summons and Complaint asserting that the defendants engaged in trademark dilution and infringement, and deceptive acts and practices under federal and New York law through its corporate registration and use of the McKINSEY mark; and

WHEREAS a copy of the Summons and Complaint was served via personal service on MCGH’s designated agent, The Company Corporation, on April 2, 2012; and

WHEREAS MCGH has failed to answer the Complaint; and

WHEREAS the Clerk of the Court issued a Certificate of Default against MCGH on April 24, 2012.

NOW THEREFORE, it is ORDERED that MCGH show cause before the Honorable Paul Gardephe, United States District Judge, at Courtroom 6B of the Daniel Patrick Moynihan United

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States Courthouse, 500 Pearl Street, New York, New York on May 9, 2012 at

10:00 a.m., or as soon thereafter as counsel can be heard, why an order should not issue

granting Plaintiff the following relief:

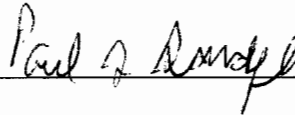
1. That MCGH and its officers, agents, servants, employees and attorneys, and all parties in active concert or participation with it, are permanently enjoined from any use of the McKINSEY mark, any colorable imitation of the McKINSEY mark, and any thing or mark confusingly similar thereto or likely to cause dilution of the distinctiveness of the McKINSEY mark or injury to McKinsey & Company's business reputation;
2. That MCGH and its officers, agents, servants, employees and attorneys, and all parties in active concert or participation with it, are permanently enjoined from representing by any means whatsoever, directly or indirectly, that any services offered by MCGH are McKinsey & Company's services, and from otherwise taking any other action likely to cause confusion, mistake or deception on the part of purchasers or consumers as to the origin or sponsorship of such services;
3. That MCGH and its officers, agents, servants, employees and attorneys, and all parties in active concert or participation with it, are permanently enjoined from doing things calculated or likely to cause confusion or mistake in the mind of the public or to lead purchasers or consumers into the belief that defendants' services come from or are the services of McKinsey & Company, or are somehow sponsored or underwritten by, or affiliated with McKinsey & Company, and from otherwise unfairly competing with McKinsey & Company or misappropriating that which rightfully belongs to McKinsey & Company;
4. That MCGH and its officers, agents, servants, employees and attorneys, and all parties in active concert or participation with it, take affirmative steps to dispel such false impression that heretofore have been created by any use they have made of the MCGH name;
5. That MCGH and its officers, agents, servants, employees and attorneys, and all parties in active concert or participation with it, be required to change the corporate name of MCGH to a name that does not use the McKINSEY mark or any colorable imitation of the McKINSEY mark, or anything or mark confusingly similar thereto or likely to cause dilution of the distinctiveness of the McKINSEY mark or injury to McKinsey & Company's business reputation;
6. That MCGH shall file with the Court and serve on counsel for McKinsey & Company within thirty (30) days after entry of this Order, a sworn written

statement pursuant to 15 U.S.C. § 1116(a) setting forth in detail the manner and form in which MCGH has complied with the Order.

IT IS FURTHER ORDERED, that McKinsey & Company shall serve a copy of this Order, along with the papers upon which it was granted, on defendant MCGH by mailing a copy by overnight courier to defendant MCGH's designated agent, The Company Corporation, on or before 8:30 p.m. on April 27, 2012, and that McKinsey & Company shall contemporaneously mail a courtesy copy of its cover letter to the Chambers.

SO ORDERED this 27th day of April, 2012

U.S.D.J.

A handwritten signature in cursive script, reading "Paul J. Randolph", written over a horizontal line.